

Application No.: 10/628821  
Amdt. dated: 6/23/2006  
Response to Office Action of 01/24/2006

**Remarks/Arguments**

**Claim Rejections per 35 USC 112**

Claims 3, 4, 15 and 19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 3 and 4 have been canceled. Claims 15 and 19 have been amended to remove the alternative language and applicant respectfully submits that claims 15 and 19 are now in condition for allowance under 35 U.S.C. 112.

**Claim Rejections per 35 USC 102**

Claims 1 and 22 were rejected under 35 U.S.C. 102(b) as being anticipated by Dougherty, U.S. Patent No.5,552,605 "Dougherty"). Claims 22 and 23 have been canceled. In view of the amendments and remarks herein, applicant has traversed the rejections and the remaining claims, including claim 1 are now allowable.

Under *§ 102 every aspect* of the rejected claims must be found in a single reference. Applicant respectfully submits that Dougherty fails to anticipate the invention because Dougherty does not teach every aspect of the invention. In summary, Dougherty is substantially directed to an icon-based computer interface for providing an interface between a user and a computer system. However, Dougherty offers no teachings with respect to comparative displays of medical strips and particularly has no teaching with respect to at least the step as required in claim 1 (as amended by incorporating limitations from now-canceled claims 3 and 4):

...independently scrolling at least one view of the at least two views to juxtapose differing views for comparison, wherein the at least one information track has images including medical strips that contain patient information on a time line ...

Dougherty is not directed to reading medical strips and does not perform such a step of scrolling and juxtaposing differing views of an information track that "has images including medical strips" for comparison. This is not surprising since one motivation of the present invention is to readily provide visual comparisons, while simultaneously providing links to temporally related documents, particularly in a case involving data recorded over a prolonged period of time, as for example, in the case of a fetal monitoring strip. (Specification, Page 1, LL. 20-25) In contrast, Dougherty does not even address medical information.

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Further, Dougherty has no teachings with respect to time lines or linking data to time lines. To emphasize the point, a word search of the Dougherty patent text as accessed from the USPTO web site reveals that **NONE** of the following claim elements are found in the Dougherty patent: "compare," "comparison," "medical strips," "medical," "information track," "patient," "time" and "time line." These claim elements cannot fairly be read into the reference using hindsight for the sole purpose of rejecting applicant's claimed invention. This is especially true where it is evident there was no intent to address these key elements by the reference.

To traverse a § 102 rejection it is necessary to find only one claim element that is not taught by the single reference. Here it is evident that Dougherty does not teach at least the step of "independently scrolling at least one view ... wherein the at least one information track has images including medical strips that contain patient information on a time line." Thus, claim 1 is allowable over Dougherty and all of the references whether taken singly or in any combination.

As an extension of the above argument, claims 2, and 6-21 are allowable as depending from an otherwise allowable claim 1.

#### Conclusions

Thus, all of the remaining claims 1-2 and 6-21 are allowable. Applicant respectfully submits that all of the dependent claims are also patentable over all of the references whether taken singly or in any combination since they are dependent claims that are allowable as depending from otherwise allowable claims.

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Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone George A. Leone, Applicants' Attorney at 253-682-0246 so that such issues may be resolved as expeditiously as possible. For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

Date:

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